IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4419 OF 2007

Ashok K. Kuvadia ....Petitioner.
V/s
Vikram Jivanlal Sheth & Ors... ....Respondents.

Mr.Bhavesh Parmar, Adv. For the petitioner.

Mr.Vaibhav Joglekar with Mr.Amit Potnis i/by M/s.Tamhane & Co. advocates for respondent Nos. 1 to 6.

CORAM: A.P.DESHPANDE, J.
24/7/07

PC:

On an application moved by the present petitioner the Deputy Registrar in exercise of powers under section 78 of the Cooperative Societies Act passed an order of supersession of the Managing Committee and appointment of an administrator on respondent No.6-society. Aggrieved by the order of supersession passed by the Deputy Registrar an appeal under section 152 of the act was filed which is pending on the file of Divisional Joint Registrar of Cooperative Societies, Mumbai. The Appellate Authority while admitting the appeal has stayed the order passed by the Deputy Registrar on 18.4.07 on account of which the Managing Committee of the Society continues to hold reigns of the affairs of administration of the Society. Learned advocate appearing for respective parties bring to my notice the fact that the appeal has been

listed for final hearing on 2.8.07. Both learned counsel are in agreement that the appeal pending on the file of Divisional Joint Registrar of Cooperative Societies, Mumbai need to be disposed of expeditiously. Learned counsel appearing for respondent No.1 to 6 in all fairness makes statement that he has no objection for impleadment of the present petitioner as party-respondent in the appeal. As I am not inclined to interfere with the impugned order I deem it appropriate to seek an expeditious disposal of the appeal itself having regard to the controversy involved in the appeal. In the result writ petition is summarily dismissed. The Divisional Joint Registrar of Cooperative Societies, Mumbai is directed to decide the appeal as expeditiously as possible preferably within a period of two months from today. Both the learned counsel for respective parties assure this Court of their full cooperation for seeking expeditious disposal of the appeal before the Divisional Joint Registrar of Cooperative Societies, Mumbai. Needless to mention that all contentions raised in this writ petition are left open to be addressed before the Appellate Court.

24.7.07